

MINUTES
OF THE
JANUARY 10, 2019 REGULAR BUSINESS MEETING



OF THE
OKLAHOMA WORKERS' COMPENSATION COMMISSION

STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE

Notice of this Regular Meeting was filed with the Secretary of State's office on Monday, November 13, 2017 at 9:05 a.m., in compliance with the Open Meeting Act.

The agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

MINUTES OF THE JANUARY 10, 2019 REGULAR BUSINESS MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., 2nd floor, Oklahoma City, Oklahoma, on January 10, 2019.

Members present: Chairman Mark Liotta, Commissioner Jordan Russell, and Commissioner Megan Tilly.

Others Present: Executive Director Hopper Smith, WCC; Sarah Greenwalt, WCC; Dana Esparza, WCC; Collin Fowler, WCC; Dr. Jay Cannon, WCC; Eric Russell, WCC; Alisha Davison, CompSource; Anna Rouw, OKHOUSE; and James Lawson, WCC.

Chairman Liotta expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum. The meeting was called to order at approximately 1:30 p.m.

1. Approval of Minutes

Chairman Liotta presented the minutes of the December 13, 2018 public meeting for approval.

Motion: Commissioner Russell moved to approve the minutes of the December 13, 2018 public meeting.

Second: Commissioner Tilly

Those voting aye: Chairman Liotta and Commissioner Russell. Commissioner Tilly abstained.

The motion carried.

2. Discussion and Consideration of Distribution of Surplus Monies to Members of the Oklahoma Operators Self-Insurers Fund (#75292)

Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board.

The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board shall submit the distribution request to the Commission, with all supporting documents.

Oklahoma Operators Self-Insurers Fund, a group self-insurance association, is requesting a partial distribution of surplus funds back to its members in the amount of \$227,000 which will be payable from the following Fund years: FY 14 (\$155,000), FY 13 (\$72,000). The Commission considered approving the distribution of surplus monies to members of the Oklahoma Operators Self-Insurers Fund.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

Motion: Commissioner Tilly moved to approve distribution of surplus monies to members of the Oklahoma Operators Self-Insurers Fund.

Second: Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

3. Proposed Approval of Independent Medical Examiners for the Commission

Title 85A O.S., § 112 requires the Workers' Compensation Commission to create, maintain and review a list of licensed physicians who shall serve as independent medical examiners ("IME"). The Commission shall, to the best of its ability, include the most experienced and competent physicians in the specific fields of expertise utilized most often in the treatment of injured workers. The period of qualification for physicians shall be two (2) years.

The Commission considered approving the list of physicians presented at the meeting that have been vetted and recommended by the Medical Director.

Dr. Jay Cannon was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

Motion: Commissioner Russell moved to approve the independent Medical Examiners as presented.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

4. Discussion and Consideration of Current Commission Policies

The Commission discussed and considered adopting WCC-22, the Office Closings or Reduction of Services Policy.

Collin Fowler was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

Motion: Commissioner Russell moved to table the WCC-22, the Office Closings or Reduction of Services Policy to vote on at a later meeting.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

5. Consent Agenda for Travel Vouchers Currently Outstanding:

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act.

The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers. All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Motion: Commissioner Russell moved to approve the Consent Agenda as presented.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried.

9. Announcements

The Commission's next regularly scheduled business meeting is on February 14, 2019. The Commission's next regularly scheduled appeals meeting is on February 1, 2019.

ADJOURNMENT.....Chairman Mark Liotta

Motion: Commissioner Tilly moved to adjourn.

Second: Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried. The meeting adjourned.